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HOUSE BILL 3229

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 34 and Title 37, relative to a pilot project for guardian ad litem services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, Part 1, is amended by adding Sections 2 through 9 of this act as a new part.

SECTION 2. There is hereby created a pilot project in the counties of Bradley, Polk, McMinn, Monroe, Rhea and Meigs, to provide the services of guardians ad litem.

SECTION 3. The purpose of this pilot is to provide the services of guardians ad litem, including nonlawyer guardians ad litem, to abused, neglected or dependent children involved in judicial proceedings pursuant to this Title and Title 34 and to assure that participants are trained to perform their responsibilities.

SECTION 4. The administrative office of the courts is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules shall be promulgated in accordance with the provisions of Title 4, Chapter 5.

SECTION 5. The administrative office of the courts shall, in coordination with the judge designated in the Tenth Judicial District and the Bradley County Juvenile Court judge, implement and administer the program required by this act. The program in each county shall

consist of volunteer guardians ad litem; a program attorney and a program coordinator who shall both serve all four (4) counties and who shall be paid full-time state employees; and clerical staff as required.

SECTION 6. The administrative office of the courts shall appoint a guardian ad litem advisory committee consisting of at least five (5) members, four (4) of whom shall reside in the Tenth Judicial District, to advise the senior judge in matters related to this pilot program.

SECTION 7. If a conflict of interest prevents a local program in any of the pilot counties from providing representation, the court may appoint a member of the local county bar to represent the juvenile's interest.

SECTION 8. The administrative office of the courts shall monitor this pilot program and report to the general assembly regarding persons served, volunteer participants and types of cases involved and shall assess the impact of the program. Such report shall be provided no later than October 1, 2001.

SECTION 9. Any volunteer participating in a judicial program pursuant to the program created by this act shall be presumed to be acting in good faith and shall therefore be immune from civil liability that might otherwise be incurred or imposed for such action.

SECTION 10. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specially appropriated by the general appropriations act.

SECTION 11. The pilot project created by this act shall cease on July 1, 2001.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.